

UNITED STATES OF AMERICA,	)	CASE NO. 8:05CR358
	)	
Plaintiff,	)	
	)	
vs.	)	MEMORANDUM
	)	AND ORDER
JESSE TAYLOR,	)	
	)	
Defendant.	)	

The Defendant seeks an order suppressing evidence seized as a result of the Defendant's July 23, 2005, arrest. Judge Gossett determined: the baggie of suspected methamphetamine and the handgun were abandoned and not subject to the motion; reasonable suspicion justified the *Terry* stop; the Defendant was not in custody when he was initially questioned at the scene and during the pat search; when the Defendant was Mirandized, he knowingly and voluntarily waived his rights, his statement was not coerced, and the statement was not the fruit of an unlawful stop, detention or arrest.

Notwithstanding the absence of objections, pursuant to 28 U.S.C. § 636(b)(1)(C) and NECrimR 57.3, the Court has conducted a de novo review of the record. The Court has read the parties' briefs (Filing Nos. 16, 18) and the transcript (Filing No. 23). The Court has also viewed the evidence. (Filing No. 20) Because Judge Gossett fully, carefully, and

correctly applied the law to the facts, the Court adopts the Report and Recommendation in its entirety.

IT IS ORDERED:

1. The Magistrate Judge's Report and Recommendation (Filing No. 22) is adopted in its entirety; and
2. The Defendant's motion to suppress (Filing No. 15) is denied.

DATED this 9<sup>th</sup> day of January, 2006.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge